

UNITED STATES DISTRICT COURT

for the

*Eastern District of Virginia**Norfolk Division*

Case No.

(to be filled in by the Clerk's Office)

Craig M. Henson

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) Yes NoCity of Virginia Beach Government

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

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NORFOLK, VIRGINIA

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COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
 Street Address
 City and County
 State and Zip Code
 Telephone Number
 E-mail Address

Craig M. Henson
1825 Garden Drive
Virginia Beach
Virginia 23454
(757)735-9216
CraigM.Henson@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name City of Virginia Beach
Job or Title (*if known*) Government
Street Address Municipal Center Building #1, 2401 Courthouse Drive
City and County Virginia Beach
State and Zip Code Virginia 23456
Telephone Number (757) 385-3111
E-mail Address (*if known*) VBGOV.COM

Defendant No. 2

Name _____
Job or Title (*if known*) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (*if known*) _____

Defendant No. 3

Name _____
Job or Title (*if known*) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (*if known*) _____

Defendant No. 4

Name _____
Job or Title (*if known*) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (*if known*) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

- Federal question Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

- Section 1983 42 U.S.C., Civil Rights/Personal Injury
- Section 242 of Title 18
- Failure to Provide Medical Care in Custody - Eighth Amendment Constitution
- Deliberate indifference to my serious medical needs

• Title 2 Americans with Disabilities Act and Title 5
• Section 241 of Title 18

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____. Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.
(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

Please See Attached , The Amount in Controversy

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Please See Attached , Statement of Claim

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Please See Attached , Relief

III. Statement of Claim

(1)

On 04/27/2019 at Something in the Water in Virginia Beach, Virginia, the City of Virginia Beach City Government required Pharrell Williams, Something in the Water and BWG Live to operate under a City of Virginia Beach City Government Special Use Permit. This Special Use Permit was in partnership between Something in the Water and the City of Virginia Beach Government as all signed off for it and funds were allocated for City Services like Police, Fire and Rescue Etc, Etc city services to be utilized per special use permit by Pharrell Williams, Something in the Water and BWG Live.

It was these city services working off duty in police uniform as acting security for Pharrell Williams, Something in the Water and BWG Live that tackled and yanked, assaulting me off my mobility device and a 20' sand berm, that on impact of landing and further assault fractured my shoulder and caused further injury.

This 20' sand berm was built by the City of Virginia Beach and created an unsafe environment, that they created it then forced it upon Something in the Water. This 20' sand berm also was not constructed with accessibility under the ADA in ~~its~~ design plans

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(2)

I was attending the Something in the water on 04/27/2019 under injury and disability with pre approved ADA Accomodations from Something in the water by way of an ADA wristband and approval to utilize my mobility device as my Doctor had required. The ADA wristband was in addition to the VIP wristband on my wrist for Something in the water also.

The city Services acting as security for Something in the water also put their handcuffs on me, disregarding the medical attention I had already been seeking, they disregarded my event ADA wristband and had me handcuffed behind my back after just fracturing my shoulder demanding me now to get up off the sand as I was face down in the sand in pain, crying confused, hurt, have limited mobility due to spinal injury and being yelled at follow our orders get up to your knees. I kept stating I'm in pain I need medical attention, I can't get up I disabled I kept telling them. I was being told back to shut up, that I need to shut up with being disabled ~~and injured as~~ ^{VINNIE HAD TO WORK} they said no way can I be as I was on the beach ~~as~~ ^{RON} ~~GUN~~ ^{100Z} Gheeler. They were calling my mobility device a Gheeler and for this also not recognizing my serious medical needs and were discriminating. While this was going on with the 3 acting as security, the one on duty Police had secured my phone that was knocked from my hands when I was assaulted off the sand berm.

(3)

He also got my wallet from me. He saw on the back screen of my phone images of my spinal x-rays, where he questioned and I told him for medical alert incase of need like now. He went in my wallet to find my Virginia DMV handicap wallet card and turned to the 3 acting as security who were standing over me pressing down onto my shoulders, when they knew that I was injured and further injured, he said to them boy guys he is disabled he has his DMV handicap card. Those 3 acting as security all at once said out loud oh-shit and huddled together. I could make out that they were forming a strategy by what they were saying. The 3 acting as security then called over the on duty Police, I was at this time noticing it appeared by uniform that the 3 acting as security, wearing city of Virginia Beach Police uniforms while of duty had higher rank then the on duty Police officers. I noticed the 3 acting as security were directing and ordering the on duty Police officer of what he was going to do, as I heard them tell him that he was to charge me with trespassing and get me off the beach. There was some kind of hold up though, for some reason the on duty Police said he could not charge me with trespassing and remove the handcuffs from me until someone from the event staff came and

(4)

cut off the VIP wristband off of my wrist.

I had been pleading with the 3 acting as security and the on duty Police to remove the handcuffs due to the pain and injuries, stating that I need medical assistance. I was crying in pain and had unzipped myself in the assault off the sand berm. The 3 acting as security told the on duty Police that I had already received medical treatment, that's why I said I was over here in the first place, is what I was being told by the on duty Police. I would respond correct, I never got that medical treatment as they stopped it and they caused further injury which you see and I'm telling you I need medical attention for. This is when the on duty Police spoke directly to me telling me if I wanted to make it through this I am to do as he says and then get off the beach. A person, a lady was brought to where we were on the beach, she stated that the police were making her cutoff my VIP wristband for trespassing and she was sorry. She cut it off, would not let me have it. The on duty Police then charged me and removed handcuffs. I was bordered ^{8 JUN 2007} by the 3 acting as security and the on duty Police to get my 4 Wheeler down from the sand berm and leave immediately. I asked for help, they refused. They found it funny then they were irritated in the time it was taking me.

(5)

They began threatening to just take me to jail and have my 4wheeler towed and impounded if I'm going to waste more time. It ~~wasn't~~ wasn't that I was wasting time, I was seriously injured, I couldn't lift my left arm and had immense pain in my cervical neck and spine. I was being forced to climb up sand where I just kept sliding back down, the brakes I had activated on my mobility device so I had to climb all the way up to my mobility device then release the brakes, I couldn't just pull my mobility device down. Seeing an injured person struggle they thought was funny. In more pain and suffering I finally in fear of my life got my mobility device down.

In the actions of the City Services Workers off duty in Police Uniform working as security for something in the water under special use permit, they were also operating under color of law, and violated my rights as such.

They never searched my mobility device for weapons yet initiated the whole contact that I was a threat and was trespassing when in court where the Virginia Beach Police and the event prosecuted me for charges from that night, my charges against me were dismissed by the court. Only the one on duty officer appeared at court.

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(6)

Through these matters from the moment they happened to currently and all through trying to resolve the city of Virginia Beach Government has shown deliberate and willful indifference to the serious bodily harm they caused and continued to contribute to on top of the pre existing injuries and matters of my disability I had been dealing with the city of Virginia Beach with since 2018 with things like use of my mobility devices in the city of Virginia Beach for which they were restricting, to also my ADA Land Variance for my medical and disability needs related to my spinal injury to also pointing out language of laws pertaining to people with disabilities for property tax exemption that they were not noticing. I had a law firm on my matters which I later found out worked for the city of Virginia Beach Government and this created a lot of conflict of interest, for which the city of Virginia Beach directly paid me for one of those matter, but not the other matters for which they all gave the city of Virginia Beach a clear picture of my serious injuries and medical needs ~~but for which they would not compensate me for in matters with that law firm. Those other matters are also what motivated the city of Virginia Beach to rule in favor on my ADA Land Variance.~~

b2 b7C b7D b7E b7F b7G b7H b7I b7J b7K b7L b7M b7N b7O b7P b7Q b7R b7S b7T b7U b7V b7W b7X b7Y b7Z

The City of Virginia Beach Government has had ample time and documentation of my medical needs to assist rather than

①
continue to inflict injury of my mental health in these
matters. For it was the mayor and deputy chief of Police
who first told me of these matters I am dealing with
PTSD, for which has since been medically documented.
For the City of Virginia Beach Government Denying my
rights, causing injury physical and mental and denying medical
care, for their inability and in action to fix what they
break and help that which they harm I bring this
matter and ask this court for relief! Pharrell Williams
was correct in his statement that there is toxic energy in Virginia Beach Government.

Lay M. Hearn

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IV. Relief

For

- 1) Personal Injury (Fractured shoulder, PTSD, Anxiety, spinal Injury)
- 2) Loss of Mobility / further Disability
- 3) Loss of Work / Income
- 4) Pain & Suffering with Mental Anguish
- 5) Malicious Prosecution
- 6) Deprivation of Rights
- 7) ADA Discrimination

I ask for Compensatory Damages of \$35,000,000.00
to make me whole of the whole body injuries to me.

I do ask for \$350,000 in Punitive Damages

I do ask that Court Costs incurred, and any Attorney fees incurred should be paid in full by Defendants as well should I prevail in ruling from the Court.

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3. The Amount in Controversy

Due to the serious bodily injury, the prolonged trauma, mental health injuries, lack of assistance and permanent life long effects of pain and suffering inflicted upon without regard to my already existing serious medical needs by willfully depriving me of medical assistance continuously, exposing me to further risk of harm. The medical costs involved for my complex medical needs and loss of income are far greater than \$75,000.

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V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

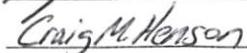
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/27/2022

Signature of Plaintiff



Printed Name of Plaintiff



B. For Attorneys

Date of signing: _____

Signature of Attorney



Printed Name of Attorney



Bar Number



Name of Law Firm



Street Address



State and Zip Code



Telephone Number



E-mail Address

